

Agriculture, Fish, & Water (AFW)
Field Office Technical Guide (FOTG) Executive Committee Meeting # 16
Thursday January 17, 2002
St. Placid Priory, 500 College Ave. NE, Lacey, WA 98516
MEETING SUMMARY

Note: This meeting summary is a general representation of the meeting and no party is binding to any accountability of the summary.

1. Welcome/Introductions

The attendees introduced themselves. Hibba Wahbeh provided updated November and December draft meeting minutes – all comments have been incorporated as received. If any other comments need to be provided, please provide them when the group re-visits the approval of the minutes.

Thompson passed out NMFS' response to the possible AFW agreement that they were requested to provide at the December Executive Committee meeting. NMFS had provided this text to Thompson on December 14th, 2001, the day after the December meeting date. Thompson apologized for the delay in providing the NMFS response to the Executive Committee.

2. AWC Guidelines Manual

Mike Rundlett presented the draft Agricultural Watercourse Policy Guidelines for Northwest Washington (AWC Guidelines Manual). The document is near completion pending two important pieces (riparian buffer and water control structure issues). Rundlett provided some updates to the document and emphasized that the document is designed for Northwest Washington only.

Discussion of the waterway classification (chapter 3 of AWC Guidelines Manual) took place. The waterway classification is designed for the hydrology of Northwest Washington. The classification is designed for Northwest Washington, not for the whole state. Discussion of the waterway classification ensued. Chapter 3 of the AWC Guidelines document is flagged as an important chapter for further ITT work, especially the refinement of the significantly modified watercourse classification.

Chapter 5 of the draft AWC document has two major policy issues to deal with before being finalized:

- Riparian buffer issues which includes 4 practices. Riparian issues are on hold until further notice from the Executive Committee.
- Water Control Structure Issues (includes tide gates)

The next ITT meeting is scheduled for January 22nd. At this meeting the ITT will begin to work on the next steps and the guidance provided by the Executive Committee at today's meeting. The Executive Committee has not decided how to finalize the AWC document.

1 Pesticides are not covered in the AWC Guidance Manual. The pesticides task force has
2 put together a pesticides approach. The incorporation of pesticides into the AWC
3 Guidance Manual needs to be addressed by the ITT.

4
5 Rundlett has been and will continue to update the AG caucus on the core issues the ITT is
6 working on.

7
8 Thompson had organized a teleconference with the involved federal agencies and Paul
9 LaCroix to discuss the tidegate issue. NMFS had agreed to consider the historical uses of
10 tidegates. NMFS is lead on working to provide a legal/technical review of the tidegate
11 approach and will provide a proposal by the next Executive Committee meeting.

12
13 Jim Muck passed out a handout of a timeline and the next steps for the AWC document
14 consultation. He presented this information on an overhead. The use of Section 7 in this
15 process requires a federal agency nexus. If landowners operate consistently with the
16 AWC Guidance Manual, they will have met the requirements under the ESA and the
17 CWA.

18
19 Discussion of federal funding to implement farm plans on the ground and a commitment
20 from the local level is required before beginning the Biological Assessment (BA). This is
21 a next step in the consultation process. The AFW group needs to re-visit and adjust the
22 timeline in context to the water control structures and riparian issues that need to be
23 settled.

24
25 Discussion of the manual's scope in relation to funding buffers and farm plans ensued.
26 Areas other than NW Washington do not have to apply the AWC Guidance Manual to get
27 funding from the state.

28
29 It was stated that the Biological Opinion (BO) and the BA will address cost-benefit on a
30 biological basis. A cost-benefit analysis cannot be addressed here, since this can only be
31 evaluated once the document has been completed.

32
33 Jim Hazen requested that Paul LaCroix, once present, address the issue of AG Caucus
34 participation in the AWC Guidance Manual process. The fundamental reasoning behind
35 this request is the AG caucus' comfort with the document. The AG caucus has not fully
36 participated in the process. An analysis of ITT decisions that have been made without
37 AG caucus participation needs to be made. This request is not a sign of buy-off or
38 rejection by the AG caucus.

39 40 **3. Mapping**

41 The state and federal caucuses were assigned the mapping exercise. Jim Muck presented
42 a draft mapping example for illustrative purposes. Martha Jensen is tasked with the
43 mapping work for NW Washington (5 counties). Muck described the mapping process
44 that Jensen goes through with the use of the draft examples. Discussion of watercourses
45 on maps ensued. Buffer dimensions were discussed.

1 Thompson emphasized the importance of testing the waterway classification on the
2 ground. Mapping work needs to focus on further refinements of the classification and to
3 include areas impacted. Betty Sue Morris offered that the Counties could determine
4 impact areas with an overlay of the Salmon and Stealhead Stock Inventory (SASSI).

5
6 Discussion of the classification system and representation of maps took place. The AG
7 Caucus (Jim Hazen) expressed that flexibility in the system should be landowner driven
8 rather than stream-driven.

9
10 Thompson stated the importance of being specific on the landscape rather than have
11 representative landscape for all. John Mankowski cautioned against mapping for the
12 whole state.

13 14 **4. Tim Thompson's Integrated AFW Options Proposal**

15 Tim Thompson passed out some handouts and summarized his new suggested three
16 options proposal that integrates all caucus comments. The options can be further refined.

17
18 Thompson's suggestion for next steps:

- 19 - Refinements of the three options
- 20 - Refinement of the Waterway classification and mapping exercise
- 21 - Federal funding strategy
- 22 - Pilot Plan
- 23 - Write up independent science proposal
- 24 - Consultation and federal nexus

25
26 These next steps require setting up workgroups to meet in January and February and then
27 to present to the Executive Committee in March. Discussion of these next steps will
28 occur at tomorrow's meeting. Thompson would like to move AFW to phase 2.

29 **Lunch**

30 31 **5. Caucus Verbal Response to Integrated Proposal**

32 State Caucus Response

33 Curt Smitch presented the state response to Tim Thompson's proposal. Discussion of
34 funding among state and federal caucus needs to take place. Is there a differential reward
35 system for option two and option three, and what is it? All caucuses need to be clear to
36 communicate what it means to move all three options forward and what it means to
37 respect option one. The state caucus agrees that it is time to move forward. The state
38 feels that option one requires more language to portray methods. More detail is needed
39 on the idea of pilot projects. The ultimate measure of progress is what happens on the
40 ground. Concern of expectations of truing up to adaptive management provisions was
41 expressed. More discussion is needed on what happens once new science is available.

42 43 Federal Caucus Responses

44 ○ EPA

45 Tom Eaton presented the EPA's response to the options proposal. It is important to
46 present the AFW program and all three options equally and fairly. Eaton proposed a

1 watershed pilot project that provides technical assistance and funding on the
2 watershed level with all three proposed options.

3
4 ○ USFWS

5 Ken Berg presented the USFWS response to the options proposal. USFWS agrees
6 with the state's position. USFWS would like to get moving on the AFW process and
7 work on tasks to move forward.

8
9 ○ NMFS

10 Steve Landino spoke for the NMFS. NMFS agrees with moving forward and further
11 refining the options.

12
13 ○ NRCS

14 Frank Easter verbalized NRCS' position. NRCS would like to move forward with the
15 three options, practice 391 (Riparian Buffer), and Section 7. Interest is placed on the
16 potential for manipulating the size of the buffer in a farm plan.

17
18 Conservation District Caucus Response

19 Wade Troutman spoke that the Conservation Districts will continue to move forward with
20 the three options package remembering that technical assistance is a vital component to
21 the program.

22
23 County Caucus Response

24 Philip Morley stated that the County Caucus is ready to advance the three options and to
25 work with the state caucus on option 2. The CREP proviso language (Veneman letter)
26 needs to be addressed. More work is needed to differentiate between the AFW process as
27 a voluntary program and the GMA regulations. Morley emphasized that under the GMA,
28 Counties have an obligation to protect habitat, not to restore it. It was suggested that
29 there be no jeopardy for the act of installing a buffer using option one. Clarification of
30 coverage under ESA and coverage with farm plans and the AWC Guidance Manual in
31 option 2 should take place. Adaptive management needs to be refined. Stream size needs
32 to be added to the watercourse matrix. A combination of practices with watercourses,
33 which Dave Ragsdale (EPA) has worked on, is important. It is important to align HPA's
34 with option 2 and to determine CREP eligibility for stream types 1, 4, and 5. Additional
35 funding to Conservation Districts for technical assistance is important.

36
37 Wallace clarified that option two deals with stream types 2 and 3 only.

38
39 AG Caucus Response

40 Jay Gordon presented the AG Caucus response to Thompson's suggested proposal.
41 Adequate resources need to be calculated and ensured for option one. All three options
42 need to be viable for landowners (supported with funding, covered under CAO, etc.).
43 Mike Poulson emphasized the importance of going forward with a funded package on all
44 three options.

1 Thompson made clear that exploration of option one funding opportunities is needed.
2 The drawback of option one is that landowners assess their own risk.

3
4 Curt Smitch pointed out that it is difficult to support a 25 foot buffer because of the
5 Skagit litigation. A twenty-five foot buffer is not consistent with Best Available Science
6 (BAS). Options 2 and 3 are recommended for Critical Areas Ordinance (CAO); option 1
7 is not. Option 1 is a step in the right direction, but it does not satisfy the ESA and the
8 CWA.

9
10 Morley made clear that the AFW process does not line up with Critical Area Ordinances
11 (CAO). AFW is a risk reduction option and is different from a CAO.

12
13 The options package should carry the endorsement of all parties. The Executive
14 Committee recognize that option 1 does not satisfy the ESA, CWA and BAS and that it is
15 not funded by CREP and Salmon Recovery Fund (SRF) money. Smitch would like all
16 the parties to understand the obligation for respecting option one.

17
18 Discussion of funding occurred. Discussion of the meanings of “respect” and “viable”
19 ensued.

20
21 At tomorrow’s meeting, the caucuses are to present concerns with the options package
22 and provide collaborative next steps.

23
24 Gordon added that the adaptive management component of the process will be hard to
25 sell to landowners. He emphasized that the adaptive management component requires
26 more work.

27
28 **Handouts**

- 29 • AFW 1/17-1/18 meeting proposed agenda
30 • November and December FOTG EC meeting draft summary
31 • Draft AWC Guidelines Document – January 16th, 2002 version
32 • NMFS response to possible AFW agreement
33 • Timeline and next steps for NW document Consultation
34

Attendees	Representing
Ballash, Heather	WA Office of Community Development
Bambrick, Dale	NMFS
Berg, Ken	USFWS
Briscoe, Lynn	WSDA
Brookreson, Bill	WSDA
Deusen, Millard	WDFW
Doenges, Rich	Skagit County
Easter, Frank	NRCS
Eaton, Tom	USEPA
Faulconer, Lee	WSDA
Gordon, Jay	Washington State Dairy Federation
Hazen, Jim	Tree Fruit Growers
Hamilton, Rod	FSA
Hemphill, Sara	NRC/King CD
Hopkins, Mike	Rick Larsen's Office
Hudson, Tip	WA Cattlemen's Association
Jensen, Martha	USFWS
Kelly, Carolyn	Skagit CD
Landino, Steve	NMFS
Mankowski, John	WDFW
Meyer, Steve	WCC
Morley, Philip	Snohomish County
Morris, Betty Sue	WASAC
Muck, Jim	USFWS
Nelson, Rick	WA Cattlemen's Association
Poulson, Mike	Ag Caucus
Rose, Jane	WA Cattlemen's Association
Rundlett, Mike	ITT Facilitator
Smitch, Curt	Governor's Office
Thompson, Tim	Facilitator
Troutman, Wade	WACD
Wahbeh, Hibba	AFW Staff, summary recorder
Wallace, Dick	Department of Ecology
Wood, Dan	Grays Harbor County
Zimmerman, Jim	Farm Bureau

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January 18, 2002

1. AFW Executive Committee Tasks for the Next Meeting

Discussion of the next AFW Executive Committee meeting date ensued. It was recommended that the February meeting be cancelled to work on the following specific tasks outlined by Tim Thompson.

- a) All Caucuses send comments to yesterday's options proposal (clarifications and edits) within two weeks (2/1/01).
- b) Waterway classification group, headed by Mike Rundlett, to ratchet down on classification issues. Compare how the NW Washington waterway classifications created for the AWC Guidelines Manual relate to other parts of the state and the state waterway classification. Address if it is possible to expand the waterway classification to the rest of the state. The group is to consist of one or two members from each caucus.

Steve Landino and Mike Poulson expressed concern about setting a statewide waterway classification. Discussion of working on a statewide waterway classification ensued. Thompson stated that exploring a statewide classification system is only a suggestion to better understand local information. Steve Meyer offered that increasing buffer options to a waterway classification made just for NW Washington could pose problems in the CREP program. Thompson would like the Waterway classification group to inform the Executive Committee on these issues.

Jane Rose requested to see references on the 75 foot buffer. Thompson mentioned that the state has already compiled this information. Wallace mentioned that there have been presentations that summarize the science and literature behind the 75 foot buffer. Smitch mentioned that a record on the hearings board in Skagit County will provide some of the court and scientific rationale behind the decisions. Hibba Wahbeh will provide this information to Jane Rose.

Thompson would like the classification issue to not take a lot of time. Part of the classification assignment is to look at mapping possibilities at the statewide level for option 2. The ITT is tasked to finalize AWC for NW Washington; another work group will coordinate the transition of applying the options proposal statewide. Dick Wallace is tasked with assembling the state wide team. Nominees for the statewide application of the options proposal should be sent to Hibba Wahbeh in two weeks time (2/1/02).

Martha Jensen was requested to continue work on mapping. It would be especially useful to look at geographic samples to define general impact areas (waterways are on the landscape and how people are affected). Ken Berg and Martha Jensen will inform the Executive Committee on the feasibility of this type of mapping exercise.

c) Federal Funding Strategy/CREP Group

Hibba Wahbeh is to set up a meeting between Steve Meyer, Frank Easter, Rod Hamilton, and Wade Troutman (led by Tim Thompson) to discuss a federal funding strategy.

Technical Assistance, Monitoring Adaptive Management, and the Watershed approach

(HB 2514) maybe a method to focus CREP money and salesmanship. Jay Gordon and Mike Poulson will provide inputs to this group.

d) Edits to pilot plan proposal

Thompson would like to limit the number of pilot plans to 15-20 farms. He emphasized that pilot plans are not an alternative plan basis. Poulson expressed great interest in pilot plans to help determine Best Available Science through experiments on the landscape.

Discussion of funding and riparian functions ensued. Discussion of the GMA aspects in AFW took place. Easter described an NRCS Conservation Field Trial, comparable to a pilot project, to determine how to meet the function and the costs involved.

Thompson requested to change the concept from “pilot plan” to “conservation field trial” for the AFW process.

The Ag Caucus is to respond to the Conservation Field Trial proposal:

- Function approach to option one, how to incorporate trials on the land. This could be folded into option one. Coordination between AG Caucus and Frank Easter to address issue.
- Address cost-benefit issue.

e) Write up of Independent Science Proposal. The state caucus, led by Curt Smitch, will provide a write up on an Independent Science Panel proposal prior to the next Executive Committee meeting.

f) Issue of consultation

Discussion of the mechanics behind option 2 needs to take place. Discuss how this fits into the ESA, CWA, and the AWC Guidelines Manual depending on funding. The State and Federal caucuses should meet to discuss this first and then broader discussion with the landowners needs to take place. Ken Berg and Curt Smitch take the lead to arrange these meetings.

g) Watershed meeting

Tom Eaton is to arrange a meeting between Dick Wallace, Jay Gordon, Philip Morley, and Frank Easter to discuss the watershed approach.

2. CREP Funding Group Update (as assigned at the December meeting)

Steve Meyer passed out a comparison of various state CREP requirements. Washington has the most expensive CREP program in the Nation and is the only one to do a forested buffer. Rod Hamilton mentioned CREP contracts cannot be trued up; CREP has a no-touch requirement; CREP is not a tool used everywhere in the state; and the buffer width cap is 180 feet, no more. Discussion of CREP took place.

3. Privacy Issue

Sara Hemphill passed out a copy of “Protection of privacy of farm operation information”. Discussion of disclosability of farm plans took place. Thompson suggested that a discussion

1 with the Attorney General take place with the state. Thompson asked if there is a way to discuss
2 with the landowner issues around disclosability. Discussion of privacy ensued.
3

4 **4. Miscellaneous Items**

- 5 • November and December meeting minutes approved with amendments.
- 6 • The Next EC meeting date will be scheduled in March. Hibba Wahbeh will request votes on
7 meeting date possibilities in March – majority rules, unless the majority of key participants
8 are not available. Wahbeh will send out reminders of the assigned tasks with weekly
9 updates.

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Action Items and Next Steps

The work tasks outlined above due by the March Executive Committee meeting:

#	Assigned to	Assignment	Details
1)	All Caucuses	a. Comments on Integrated Options Proposal b. Hibba Wahbeh will forward to Tim Thompson c. Tim will revise package for the Executive Committee	Send comments and refinements to the options proposal outlined yesterday to Hibba Wahbeh by February 1 st , 2002.
2)	Dick Wallace, Mike Rundlett, and 1 or 2 members from each caucus	Waterway Classification Group	a. Refining Classifications. Compare how the NW Washington waterway classifications created for the AWC Guidelines Manual relate to other parts of the state and the state waterway classification.
	Ken Berg		b. Applying the options proposal statewide, address if it is possible to expand the waterway classification to the rest of the state. Part of the classification assignment is to look at mapping possibilities at the statewide level for option 2.
	All Caucuses		c. Berg will provide input into the feasibility of a mapping exercise of general impact areas.
3)	Tim Thompson (Lead), Steve Meyer, Frank Easter, Rod Hamilton, and Wade Troutman. Jay Gordon and Mike Poulson will provide inputs to this group.	Federal Funding Strategy/CREP Group	Nominees for the statewide application of the options proposal should be sent to Hibba Wahbeh in two weeks time (2/1/02).
4)	AG caucus	Edits to pilot plan proposal, fold into option 1	Hibba Wahbeh is to set up a meeting between those assigned to this task. Technical Assistance, Monitoring Adaptive Management, and the Watershed approach (HB 2514) may be a method to focus CREP money and salesmanship.
			Provide comments on shaping the pilot plan, setting feasible objectives and provide refinement to the one pager on pilot plans that Thompson provided yesterday.

5)	The state caucus, led by Curt Smitch	Independent Science Proposal	Provide a detailed write up on an Independent Science Panel proposal.
6)	Ken Berg and Curt Smitch take the lead to arrange these meetings.	Consultation/Federal Nexus	Discuss how option 2 this fits into the ESA, CWA, and the AWC Guidelines Manual depending on funding. The State and Federal caucuses should meet to discuss this first and then broader discussion with the landowners needs to take place.
7)	Tom Eaton	Watershed approach	Arrange a meeting between Dick Wallace, Jay Gordon, Philip Morley, and Frank Easter to discuss the watershed approach.
8)	Betty Sue Morris (Counties)	Example mapping	Determine impact areas with an overlay of the Salmon and Stealhead Stock Inventory (SASSI).
9)	Philip Morley (lead) State and County Caucus	Work on option 2	Meeting to discuss option 2 - Include science to delineate buffer size.
10)	NMFS (Bob Lohn)	Tide gate proposal	Provide a tide gate proposal by the March Executive Committee meeting.
11)	Paul LaCroix and ITT	AG caucus participation	Address the issue of AG Caucus participation in the AWC Guidance Manual process and provide an analysis of the decisions that have been made without AG involvement.
12)	Hibba Wahbeh	Science behind 75 foot buffer	Provide Jane Rose with information on the science behind the 75 foot buffer.
13)	The ITT	Ongoing work – report back at next Executive Committee meeting	<ul style="list-style-type: none"> a. Refinement of the AWC classifications (chapter 3), and AWC maps b. Practices related to water control structures c. Riparian buffer issues d. Pesticides recommendation in a farm plan and how to incorporate this into the document

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Bambrick, Dale	NMFS
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Briscoe, Lynn	WSDA
Deusen, Millard	WDFW
Doenges, Rich	Skagit County
Easter, Frank	NRCS
Eaton, Tom	USEPA
Faulconer, Lee	WSDA
Gordon, Jay	Washington State Dairy Federation
Hamilton, Rod	FSA
Hemphill, Sara	NRC
Hopkins, Mike	Rick Larsen's Office
Jensen, Martha	USFWS
Kelly, Carolyn	Skagit CD
Landino, Steve	NMFS
Meyer, Steve	WCC
Morley, Philip	Snohomish County
Muck, Jim	USFWS
Poulson, Mike	Ag Caucus
Rose, Jane	Cattleman's Association
Rundlett, Mike	ITT Facilitator
Smitch, Curt	Governor's Office
Thompson, Tim	Facilitator
Troutman, Wade	WACD
Wahbeh, Hibba	AFW Staff, summary recorder
Wallace, Dick	Department of Ecology